

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

POLLY SHEPPARD,) Civil Action No. 2:16-cv-2358-MBS
)
 Plaintiff,)
)
v.) **PETITION TO APPROVE
 SETTLEMENT**
THE UNITED STATES OF AMERICA,)
)
 Defendant.)
)
)

Plaintiff petitions the Court pursuant to the Federal Tort Claim Act (FTCA) for approval of the proposed settlement, and would show unto this Honorable Court as follows:

1. The Plaintiff has reached a proposed settlement with Defendant as set forth in this Petition. That proposed settlement is memorialized in the Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677, attached as Exhibit A hereto.

2. Plaintiff was a victim of the Mother Emanuel shooting on or about June 17, 2015, in Charleston, South Carolina, and brought claims against Defendant as more fully set forth in the Complaint and Amended Complaint on file herein.

3. Defendant denies any liability with respect to the claims but has negotiated the settlement herein as a reasonable compromise of disputed claims.

4. Defendant is not insured for claims such as that presented by the Decedent but allows for such claim under the FTCA.

5. The terms of the proposed settlement include the payment of \$5,000,000.00 to Polly Sheppard.

6. The Plaintiff has retained counsel listed below and agreed to pay the sum of 25% of the amount recovered for attorney's fees and \$13,902.19 for costs as set forth on **Exhibit B** attached hereto.

7. The Petitioner believes the settlement is in her best interest.

WHEREFORE, the Plaintiff petitions this Court as follows:

1. to approve the settlement with Defendant in the amount of \$5,000,000.00, and subject to all terms and conditions set forth in the Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677, attached hereto as **Exhibit A**, payable to Polly Sheppard and to execute such further documents as necessary to effectuate settlement;

2. to relieve and discharge Defendant from further liability and all obligations or legal duties to see to the appropriate or proper distribution of the settlement proceeds in accordance the FTCA;

3. for an Order providing that, upon payment to the Plaintiff, the obligations of Defendant be fully and completely released and finally and forever discharged from any further responsibility in connection with her injuries; and

4. for an order that attorneys' fees and disbursements as set forth in **Exhibit B** be approved and that the settlement proceeds be distributed as set forth on **Exhibit B**.

RESPECTFULLY SUBMITTED,

By: s/Gedney M. Howe, III

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Attorneys for Plaintiff

Charleston, South Carolina

October 28, 2021

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

VERIFICATION

PERSONALLY APPEARED BEFORE ME, Polly Sheppard, who being duly sworn, deposes and says that she is the Petitioner in the foregoing action; that she has read the Petition to Approve Settlement, and the same is true and correct of her own knowledge, save and except those matters and things therein alleged on information and belief; and, as to those matters and things, she believes the same to be true and correct.

Polly Sheppard
POLLY SHEPPARD

SWORN TO and subscribed before me this
27th day of October, 2021.

Henry T. Savage
Notary Public for South Carolina

My Commission Expires: 1-17-2027

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)

**CERTIFICATION OF
LEGAL COUNSEL**

I, Andrew J. Savage, III, attorney for Claimant Polly Sheppard certifies as follows:

1. I have read the Petition to Approve Settlement.
2. I am of the opinion that the settlement is fair and reasonable and in the best interest of the Plaintiff.

By: s/Andrew J. Savage, III (with permission)

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